



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,075	11/25/2003	Yukiko Yoshida	1081.1184	4909
21171	7590	06/23/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			SMITH, TRACI L	
			ART UNIT	PAPER NUMBER
			3629	

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/720,075	Applicant(s) YOSHIDA, YUKIKO	
	Examiner Traci L. Smith	Art Unit 3629	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04/08/2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. This action is in response to papers filed on April 8, 2005.
2. Claims 1-10 are pending.
3. Claim 1 is amended.
4. Claims 9-10 are added.
5. Claims 1-10 are rejected.

***Priority***

6. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on 05/29/2001. It is noted, however, that applicant has not filed a certified copy of the PCT/JP01/04511 application as required by 35 U.S.C. 119(b).

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-10 rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 6 052 714; Miike et al. April 18, 2000. Information Filtering Apparatus and method for retrieving a selected article from information resources.
9. As to claims 1 and 9-10 An information providing apparatus and method that provides information to a terminal of user through a network,

Art Unit: 3629

comprising:

-storage unit for storing environmental conditions that are predetermined conditions for an event relating information provided by predetermined information provider; Miike teaches an apparatus with a storage unit of predetermined conditions.(C.3 I. 32-36)

-a control unit for acquiring user conditions that are inputted by the user and that are the conditions relating and specific to the user, from the terminal of the user through the network; Miike teaches an apparatus with a unit for receiving conditions(C. 3 I. 48-49)

-a structuring unit for structuring, in conformity with the environmental conditions, detailed information that is the information corresponding the user conditions relating for the event, wherein Miike teaches an apparatus with a unit for querying information (C. 3 I. 62-63)

-the control unit distributes the detailed information to the terminal. Miike teaches an apparatus with a unit that distributes the information(C. 4 I. 7-9)

10. As to claim 2 Miike teaches an apparatus with a storing unit and a unit to perform query(C. 4 . 7-12)

and allows user to alter extracted information(C. 7 I. 57-60).

11. As to claims 3 and 4 Miike teaches an apparatus with a unit executing a program in response to conditions(C. 3 I. 47-49)

12. As to claim 5 Miike teaches an apparatus with a unit that can create a value to determine information(C. 4 I. 1-4)

13. As to claim 6 Miike teaches an apparatus with changing conditions and recreating detailed information that is distributed to the user(C. 7 I. 65-67; C. 8 I. 1-2).

Art Unit: 3629

14. As to claim 7 Miike teaches an apparatus providing a news article as the information(c. 3 l. 2-4).

15. As to claim 8 Miike teaches an apparatus linked via a network(c. 3 l. 10-11)

***Response to Arguments***

16. Applicant's arguments filed April 8, 2005 have been fully considered but they are not persuasive.

17. As to applicants arguments regarding claims 1, applicant argues that the cited reference fails to teach the "conditions" being used to adapt the information being presented to the user as well as using predetermined environmental conditions.

Examiner notes that applicants use of "conditions" is a broadly interpreted term in which many things could qualify. Examiner notes that the user querying the database for specific article and/or information is enough to qualify as "conditions". Applicant does not claim the conditions as the example given of age, salary etc. The same above reasoning is applied the applicants arguments of not using "environmental conditions"; applicant fails to claim the conditions as a calculation or formula. Therefore "environmental conditions" can be interpreted broadly as how a users server allows information can be sent, what information the user has access to, how publishers of the information allow the information to be presented. Therefore, the rejection as stated above stands.

18. As to the arguments regarding claim 5, applicant argues that cited reference fails to teach the unit setting a value to a predetermined condition and getting information

using that value. Examiner notes that the reference gives a value of a "count appearance" in the predetermined articles which is used to calculate(create) a ranked list, which is giving details of the information presented to the user.(C. 4 I. 1-6).

Therefore, examiner does not find applicants argument are not persuasive and the above stated rejections stand.

19. Applicant argues the patentability of claims 2-4 and 6-8 as depending from claim 1 with regard to arguments against claim 1. Therefore for the same above reasons stated regarding arguments of claim 1 the rejections stated above stand.

### ***Conclusion***

20. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

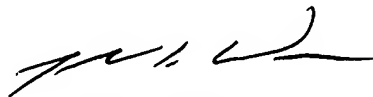
Art Unit: 3629

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Traci L. Smith whose telephone number is 572-272-6809. The examiner can normally be reached on Monday-Thursday 6:00 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TLS



JOHN G. WEISS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600